

## Message Text

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ACTION L-03

INFO OCT-01 EA-09 NEA-10 ISO-00 IO-11 CIAE-00 DODE-00

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FM AMEMBASSY JAKARTA

TO SECSTATE WASHDC PRIORITY 2863

INFO AMEMBASSY BANGKOK PRIORITY

AMEMBASSY CANBERRA PRIORITY

AMEMBASSY KUALA LUMPUR PRIORITY

AMEMBASSY MANILA PRIORITY

AMEMBASSY NEW DELHI PRIORITY

AMEMBASSY PORT MORESBY PRIORITY

AMEMBASSY SINGAPORE PRIORITY

AMEMBASSY TOKYO PRIORITY

AMEMBASSY WELLINGTON PRIORITY

UNCLAS SECTION 1 OF 2 JAKARTA 2495

WELLINGTON ALSO FOR ASST SECY HABIB

E.O. 11652: N/A

TAGS: PFOR, ASEAN

SUBJ: TEXT OF ASEAN TREATY OF AMITY AND COOPERATION IN  
SOUTHEAST ASIA

1. FOLLOWING IS TEXT OF ASEAN TREATY OF AMITY AND  
COOPERATION IN SOUTHEAST ASIA CARRIED BY OFFICIAL NEWS  
AGENCY ANTARA FEBRUARY 25.

BEGIN TEXT:

TREATY OF AMITY AND COOPERATION IN SOUTHEAST ASIA.

PREAMBLE

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THE HIGH CONTRACTING PARTIES:

CONCIOUS OF THE EXISTING TIES OF HISTORY,  
GEOGRAPHY AND CULTURE, WHICH HAVE BOUND THEIR PEOPLES  
TOGETHER;  
ANXIOUS TO PROMOTE REGIONAL PEACE AND STABILITY  
THROUGH ABIDING RESPECT FOR JUSTICE AND THE RULE OF  
LAW AND ENHANCING REGIONAL RESILIENCE IN THEIR  
RELATIONS;  
DESIRING TO ENHANCE PEACE, FRIENDSHIP AND MUTUAL  
COOPERATION ON MATTER AFFECTING SOUTHEAST  
ASIA CONSISTENT WITH THE SPIRIT AND PRINCIPLES OF THE  
CHARTER OF THE UNITED NATIONS, THE TEN PRINCIPLES  
ADOPTED BY THE ASIAN-AFRICAN CONFERENCE IN BANDUNG  
ON 25 APRIL 1955, THE DECLARATION OF THE  
ASSOCIATION OF SOUTHEAST ASIAN NATIONS SIGNED IN  
BANGKOK ON 8 AUGUST 1967, AND THE DECLARATION SIGNED  
IN KUALA LUMPUR ON 27 NOVEMBER 1971;  
CONVINCED THAT THE SETTLEMENT OF DIFFERENCES OR  
DISPUTES BETWEEN THEIR COUNTRIES SHOULD BE  
REGULATED BY RATIONAL, EFFECTIVE AND SUFFICIENTLY  
FLEXIBLE PROCEDURES, AVOIDING NEGATIVE ATTITUDES WHICH  
MIGHT ENDANGER OR HINDER COOPERATION;  
BELIEVING IN THE NEED FOR COOPERATION WITH ALL  
PEACE-LOVING NATIONS, BOTH WITHIN AND OUTSIDE  
SOUTHEAST ASIA, IN THE FURTHERANCE OF WORLD PEACE,  
STABILITY AND HARMONY;  
SOLEMNLY AGREE TO ENTER INTO A TREATY OF AMITY  
AND COOPERATION AS FOLLOWS:

## CHAPTER I

### PURPOSE AND PRINCIPLES

#### ARTICLE 1

THE PURPOSE OF THIS TREATY IS TO PROMOTE  
PERPETUAL PEACE, EVERLASTING AMITY AND COOPERATION  
AMONG THEIR PEOPLES WHICH WOULD CONTRIBUTE TO THEIR  
STRENGTH, SOLIDARITY AND CLOSER RELATIONSHIP.

#### ARTICLE 2

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IN THEIR RELATIONS WITH ONE ANOTHER, THE HIGH  
CONTRACTING PARTIES SHALL BE GUIDED BY THE FOLLOWING  
FUNDAMENTAL PRINCIPLES:

- (A) MUTUAL RESPECT FOR THE INDEPENDENCE, SOVEREIGNTY,  
EQUALITY, TERRITORIAL INTEGRITY AND NATIONAL  
IDENTITY OF ALL NATIONS;
- (B) THE RIGHT OF EVERY STATE TO LEAD ITS NATIONAL

EXISTENCE FREE FROM EXTERNAL INTERFERENCE,  
SUBVERSION OR COERCION;

(C) NON-INTERFERENCE IN THE INTERNAL AFFAIRS  
OF ONE ANOTHER;

(D) SETTLEMENT OF DIFFERENCES OR DISPUTES BY  
PEACEFUL MEANS;

(E) RENUNCIATION OF THE THREAT OR USE OF FORCE;

(F) EFFECTIVE COOPERATION AMONG THEMSELVES.

CHAPTER II  
AMITY

ARTICLE 3

IN PURSUANCE OF THE PURPOSE OF THIS TREATY THE  
HIGH CONTRACTING PARTIES SHALL ENDEAVOUR TO DEVELOP  
AND STRENGTHEN THE TRADITIONAL, CULTURAL AND HISTORICAL  
TIES OF FRIENDSHIP, GOOD NEIGHBOURLINESS AND  
COOPERATION WHICH BIND THEM TOGETHER AND SHALL FULFILL  
IN GOOD FAITH THE OBLIGATIONS ASSUMED UNDER THIS TREATY.  
IN ORDER TO PROMOTE CLOSER UNDERSTANDING AMONG THEM,  
THE HIGH CONTRACTING PARTIES SHALL ENCOURAGE AND  
FACILITATE CONTACT AND INTERCOURSE AMONG THEIR PEOPLES.

CHAPTER III  
CO-OPERATION

ARTICLE 4

THE HIGH CONTRACTING PARTIES SHALL PROMOTE ACTIVE  
CO-OPERATION IN THE ECONOMIC, SOCIAL, CULTURAL, TECHNICAL,  
SCIENTIFIC AND ADMINISTRATIVE FIELDS AS WELL AS IN  
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MATTERS OF COMMON IDEALS AND ASPIRATIONS, OF INTERNATIONAL  
PEACE AND STABILITY IN THE REGION AND ALL OTHER MATTERS  
OF COMMON INTEREST.

ARTICLE 5  
PURSUANT TO ARTICLE 4 THE HIGH CONTRACTING PARTIES  
SHALL EXERT THEIR MAXIMUM EFFORTS MULTILATERALLY AS  
WELL AS BILATERALLY ON THE BASIS OF EQUALITY, NON-  
DISCRIMINATION AND MUTUAL BENEFIT.

ARTICLE 6  
THE HIGH CONTRACTING PARTIES SHALL COLLABORATE  
FOR THE ACCELERATION OF THE ECONOMIC GROWTH IN THE  
REGION IN ORDER TO STRENGTHEN THE FOUNDATION FOR A  
PROSPEROUS AND PEACEFUL COMMUNITY OF NATIONS

IN SOUTHEAST ASIA. TO THIS END, THEY SHALL PROMOTE THE GREATER UTILIZATION OF THEIR AGRICULTURE AND INDUSTRIES, THE EXPANSION OF THEIR TRADE AND THE IMPROVEMENT OF THEIR ECONOMIC INFRA-STRUCTURE FOR THE MUTUAL BENEFIT OF THEIR PEOPLES. IN THIS REGARD, THEY SHALL CONTINUE TO EXPLORE ALL AVENUES FOR CLOSE AND BENEFICIAL CO-OPERATION WITH OTHER STATES AS WELL AS INTERNATIONAL AND REGIONAL ORGANIZATIONS OUTSIDE THE REGION.

ARTICLE 7

THE HIGH CONTRACTING PARTIES, IN ORDER TO ACHIEVE SOCIAL JUSTICE AND TO RAISE THE STANDARDS OF LIVING OF THE PEOPLES OF THE REGION, SHALL INTENSIFY ECONOMIC COOPERATION. FOR THIS PURPOSE, THEY SHALL ADOPT

APPROPRIATE REGIONAL STRATEGIES FOR ECONOMIC DEVELOPMENT AND MUTUAL ASSISTANCE.

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TO SECSTATE WASHDC PRIORITY 2864

INFO AMEMBASSY BANGKOK PRIORITY

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AMEMBASSY TOKYO PRIORITY

AMEMBASSY WELLINGTON PRIORITY

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ARTICLE 8

THE HIGH CONTRACTING PARTIES SHALL STRIVE TO  
ACHIEVE THE CLOSEST COOPERATION ON THE WIDEST SCALE  
AND SHALL SEEK TO PROVIDE ASSISTANCE TO ONE ANOTHER  
IN THE FORM OF TRAINING AND RESEARCH FACILITIES IN  
THE SOCIAL, CULTURAL, TECHNICAL, SCIENTIFIC AND  
ADMINISTRATIVE FIELDS.

ARTICLE 9

THE HIGH CONTRACTING PARTIES SHALL ENDEAVOUR TO  
FOSTER COOPERATION IN THE FURTHERANCE OF THE  
CAUSE OF PEACE, HARMONY AND STABILITY IN THE REGION.  
TO THIS END, THE HIGH CONTRACTING PARTIES SHALL MAIN-  
TAIN REGULAR CONTACTS AND CONSULTATIONS WITH ONE  
ANOTHER ON INTERNATIONAL AND REGIONAL MATTERS WITH  
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A VIEW TO CO-ORDINATING THEIR VIEWS, ACTIONS AND  
POLICIES.

ARTICLE 10

EACH HIGH CONTRACTING PARTY SHALL NOT IN ANY  
MANNER OR FORM PARTICIPATE IN ANY ACTIVITY WHICH  
SHALL CONSTITUTE A THREAT TO THE POLITICAL AND  
ECONOMIC STABILITY, SOVEREIGNTY, OR  
TERRITORIAL INTEGRITY OF ANOTHER HIGH CONTRACTING  
PARTY.

ARTICLE 11

THE HIGH CONTRACTING PARTIES SHALL ENDEAVOUR TO  
STRENGTHEN THEIR RESPECTIVE NATIONAL RESILIENCE IN  
THEIR POLITICAL, ECONOMIC, SOCIA-CULTURAL AS WELL AS  
SECURITY FIELDS IN CONFORMITY WITH THEIR RESPECTIVE  
IDEALS AND INSPIRATIONS, FREE FROM EXTERNAL INTER-  
FERENCE AS WELL AS INTERNAL SUBVERSIVE ACTIVITIES  
IN ORDER TO PRESERVE THEIR RESPECTIVE NATIONAL  
IDENTITIES.

ARTICLE 12

THE HIGH CONTRACTING PARTIES IN THEIR EFFORTS  
TO ACHIEVE REGIONAL PROSPERITY AND SECURITY, SHALL  
ENDEAVOUR TO COOPERATE IN ALL FIELDS FOR THE PROMOTION  
OF REGIONAL RESILIENCE, BASED ON THE PRINCIPLES OF  
SELF-CONFIDENCE, SELF-RELIANCE, MUTUAL RESPECT, CO-  
OPERATION AND SOLIDARITY WHICH WILL CONSTITUTE THE  
FOUNDATION FOR A STRONG AND VIABLE COMMUNITY OF  
NATIONS IN SOUTHEAST ASIA.

CHAPTER IV  
PACIFIC SETTLEMENT OF DISPUTES

ARTICLE 13

THE HIGH CONTRACTING PARTIES SHALL HAVE THE DETERMINATION AND GOOD GAIRTH TO PREVENT DISPUTES FROM ARISING. IN CASE DISPUTES ON MATTERS DIRECTLY AFFECTING THEM SHOULD ARISE, ESPECIALLY DISPUTES LIKELY TO DISTURB REGIONAL PEACE AND HARMONY, THEY SHALL REFRAIN FROM THE THREAT OR USE OF FORCE AND SHALL AT ALL TIMES SETTLE SUCH DISPUTES

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AMONG THEMSELVES THROUGH FRIENDLY NEGOTIATIONS.

ARTICLE 14

TO SETTLE DISPUTES THROUGH REGIONAL PROCESSES, THE HIGH CONTRACTING PARTIES SHALL CONSTITUTE, AS A CONTINUING BODY, A HIGH COUNCIL COMPRISING A REPRESENTATIVE AT MINISTERIAL LEVEL FROM EACH OF THE HIGH CONTRACTING PARTIES TO TAKE COGNIZANCE OF THE EXISTENCE OF DISPUTES OR SITUATIONS LIKELY TO DISTURB REGIONAL PEACE AND HARMONY.

ARTICLE 15

IN THE EVENT NO SOLUTION IS REACHED THROUGH DIRECT NEGOTIATIONS, THE HIGH COUNCIL SHALL TAKE COGNIZANCE OF THE DISPUTE OR THE SITUATION AND SHALL RECOMMEND TO THE PARTIES IN DISPUTE APPROPRIATE MEANS OF SETTLEMENT SUCH AS GOOD OFFICES, MEDIATION, INQUIRY OR CONCILIATION. THE HIGH COUNCIL MAY HOWEVER OFFER ITS GOOD OFFICES OR, UPON AGREEMENT OF THE PARTIES IN DISPUTE, CONSTITUTE ITSELF INTO A COMMITTEE OF MEDIATION, INQUIRY OR CONCILIATION. WHEN DEEMED NECESSARY, THE HIGH COUNCIL SHALL RECOMMEND APPROPRIATE MEASURES FOR THE PREVENTION OF A DETERIORATION OF THE DISPUTE OR THE SITUATION.

ARTICLE 16

THE FOREGOING PROVISIONS OF THIS CHAPTER SHALL NOT APPLY TO A DISPUTE UNLESS ALL THE PARTIES TO THE DISPUTE AGREE TO THEIR APPLICATION TO THAT DISPUTE. HOWEVER, THIS SHALL NOT PRECLUDE THE OTHER HIGH CONTRACTING PARTIES NOT PARTY TO THE DISPUTE, FROM OFFERING ALL POSSIBLE ASSISTANCE TO SETTLE THE SAID DISPUTE. THE PARTIES TO THE DISPUTE SHOULD BE WELL DISPOSED TOWARD SUCH OFFER OF ASSISTANCE.

ARTICLE 17

NOTHING IN THIS TREATY SHALL PRECLUDE RE COURSE  
TO THE MODES OF PEACEFUL SETTLEMENT CONTAINED IN  
ARTICLE 33(1) OF THE CHARTER OF THE UNITED NATIONS.  
THE HIGH CONTRACTING PARTIES WHICH ARE PARTIES TO A  
DISPUTE SHOULD BE ENCOURAGED TO TAKE INITIATIVES TO  
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SOLVE IT BY FRIENDLY NEGOTIATIONS BEFORE RESORTING  
TO THE OTHER PROCEDURES PROVIDED FOR IN THE CHARTER  
OF THE UNITED NATIONS.

CHAPTER V  
GENERAL PROVISIONS  
ARTICLE 18

THIS TREATY SHALL BE SIGNED BY THE REPUBLIC OF  
INDONESIA, MALAYSIA, THE REPUBLIC OF PHILIPPINES, THE  
REPUBLIC OF SINGAPORE AND THE KINGDOM OF THAILAND.  
IT SHALL BE RATIFIED IN ACCORDANCE WITH THE CON-  
STITUTIONAL PROCEDURES OF EACH SIGNATORY STATE.  
IT SHALL BE OPEN FOR ACCESSION BY OTHER STATES  
IN SOUTHEAST ASIA.

ARTICLE 19  
THIS TREATY SHALL ENTER INTO FORCE ON THE DATE  
OF THE DEPOSIT OF THE FIFTH INSTRUMENT OF RATIFICATION  
WITH THE GOVERNMENTS OF THE SIGNATORY STATES WHICH ARE  
DESIGNATED DEPOSITORYES OF THIS TREATY AND  
OF THE INSTRUMENTS OF RATIFICATION OR ACCESSION.

ARTICLE 20  
THIS TREATY IS DRAWN UP IN THE OFFICIAL LANGUAGES  
OF THE HIGH CONTRACTING PARTIES, ALL OF WHICH ARE  
EQUALLY AUTHORITATIVE. THERE SHALL BE AN AGREED  
COMMON TRANSLATION OF THE TEXTS IN THE ENGLISH LANGUAGE.  
ANY DIVERGENT INTERPRETATION OF THE COMMON TEXT SHALL  
BE SETTLED BY NEGOTIATION.  
IN FAITH THEREOF THE  
HIGH CONTRACTING PARTIES HAVE SIGNED THE TREATY AND  
HAVE HERETO AFFIXED THEIR SEALS.  
DONE IN DENPASAR BALI ON THE TWENTYFOURTH DAY OF FEBRUARY  
IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY SIX.  
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## Message Attributes

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